

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Linda Leisure,	:	
	:	
Plaintiff	:	Civil Action 2:07-cv-817
v.	:	
	:	Judge Marbley
Franklin County Court of Common	:	
Pleas, <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendants	:	

ORDER

This matter is before the Court on Linda Leisure's February 14, 2008 motion to disqualify the Court from sitting as a judge in this action. (Doc. 23.)

The motion to disqualify complains that I should recuse myself because plaintiff has named my colleague, United States District Judge Michael H. Watson, as a defendant in this case. Plaintiff Leisure also asserts that I have engaged in covering up the malfeasance of the F.B.I. and the State of Ohio in previous cases before me as demonstrated by his rulings against her. From that, plaintiff concludes that the Court must have been prejudiced against her.

Under the provisions of 28 U.S.C. §455(a), a judge is required to recuse himself or herself "in any proceeding in which his impartiality might reasonably be questioned." The standard for recusal is an objective one, "whether [a] reasonable person knowing all of the surrounding circumstances, would consider the judge to be impartial." *United*

States v. Hurst, 951 F.2d 1490, 1503 (6th Cir. 1991), *cert. denied*, 504 U.S. 915 (1992). Here there are no grounds for disqualification or recusal. Disagreement about the Court's ruling in a case is not a ground for disqualification or recusal. *Liteky v. United States*, 510 U.S. 540, 555-56 (1994); *Garver v. United States of America*, 846 F.2d 1029, 1031 (6th Cir.), *cert. denied*, 488 U.S. 820 (1988).

Accordingly, plaintiff Linda Leisure's February 14, 2008 to disqualify (doc. 23) is DENIED.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge